

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DAVID Y. CARINO,

Plaintiff,

v.

JUSTIN HEATH, et al.,

Defendants.

1:22-cv-01235-BAK (HBK) (PC)

ORDER TRANSFERRING CASE TO THE
SACRAMENTO DIVISION OF THE
EASTERN DISTRICT OF CALIFORNIA

Plaintiff, a state prisoner, initiated this case by filing a *pro se* civil rights action pursuant to 42 U.S.C. § 1983, together with a request to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (Doc. Nos. 1, 2).

Because the events giving rise to the cause of action occurred at the California Medical Facility (CMF), Vacaville, which is located in Solano County, Plaintiff should have filed his complaint in the Sacramento Division of this Court. See 28 U.S.C. § 1391(b); *see also Ziegler v. Indian River County*, 64 F.3d 470, 474 (9th Cir. 1995) (reviewing federal court jurisdiction and venue in a § 1983 action). Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper court may, on the court's own motion, be transferred to the correct court. The Court finds it in the interests of justice to transfer this case to the Sacramento Division under 28 U.S.C. § 1406(a).

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Accordingly, it is **ORDERED**:

1. The Clerk of Court is directed to transfer this action to the Sacramento Division of this Court.

2. All future filings shall refer to the new Sacramento case number assigned and shall be filed at:

United States District Court
Eastern District of California
501 "I" Street, Suite 4-200
Sacramento, CA 95814

Dated: September 29, 2022


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE